



Please type a plus sign (+) inside this box →

PTO/SB/21 (6-98)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

### Application Number

09/921,066

### Filing Date

August 2, 2001

### First Named Inventor

Thomas H. Foster

### Group Art Unit

### Examiner Name

Total Number of Pages in This Submission

9

Attorney Docket Number

PRC-4

### ENCLOSURES (check all that apply)

Fee Transmittal Form  
 Fee Attached  
 Amendment / Response  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition Routing Slip (PTO/SB/69) and Accompanying Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation Change of Correspondence Address  
 Terminal Disclaimer  
 Small Entity Statement  
 Request for Refund

After Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Additional Enclosure(s): (please identify below):

See the attached additional enclosures

Remarks      In response to a NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 9/26/2001, applicant herewith encloses a newly executed DECLARATION, signed and dated by both applicants, and a check for \$65.00 for the payment of the surcharge for late filing of the DECLARATION. If any additional fees are required, please deduct from Deposit Account 50-1706.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Howard J. Greenwald; Greenwald & Basch LLP

Signature

Date

10/1/01

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

10/1/01

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PTO/SB/17 (12/99)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# **FEE TRANSMITTAL**

## **for FY 2000**

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT (\$)**

<b>FEE TRANSMITTAL</b>		Complete if Known	
<b>for FY 2000</b>		Application Number	09/921,066
		Filing Date	August 2, 2001
		First Named Inventor	Thomas H. Foster
		Examiner Name	
		Group / Art Unit	
		Attorney Docket No.	PRC-4
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)	

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																			
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">50-1706</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Greenwald &amp; Basch LLP</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p>				<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td>0.00</td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td>0.00</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1) (\$)</td> <td>0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (2) (\$)</td> <td>0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (3) (\$)</td> <td>65.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description		Fee Paid	105	130	205	65	Surcharge - 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<p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>				<p><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>690</td><td>201</td><td>345</td><td>Utility filing fee</td></tr> <tr><td>106</td><td>310</td><td>206</td><td>155</td><td>Design filing fee</td></tr> <tr><td>107</td><td>480</td><td>207</td><td>240</td><td>Plant filing fee</td></tr> <tr><td>108</td><td>690</td><td>208</td><td>345</td><td>Reissue filing fee</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (1) (\$)</b> 0.00</p> <p><b>2. EXTRA CLAIM FEES</b></p> <table border="1"> <thead> <tr> <th colspan="2">Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>1</td> <td>-20**</td> <td>= <span style="border: 1px solid black; padding: 2px;"> </span> X 9 = <span style="border: 1px solid black; padding: 2px;"> </span></td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>- 3**</td> <td>= <span style="border: 1px solid black; padding: 2px;"> </span> X 40 = <span style="border: 1px solid black; padding: 2px;"> </span></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>= 0</td> </tr> </tbody> </table> <p>**or number previously paid, if greater; For Reissues, see below</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="2">Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>78</td><td>202</td><td>39</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>78</td><td>209</td><td>39</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (2) (\$)</b></p>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description		Fee Paid	101	690	201	345	Utility filing fee	106	310	206	155	Design filing fee	107	480	207	240	Plant filing fee	108	690	208	345	Reissue filing fee	114	150	214	75	Provisional filing fee	Extra Claims		Fee from below	Fee Paid	Total Claims	1	-20**	= <span style="border: 1px solid black; padding: 2px;"> </span> X 9 = <span style="border: 1px solid black; padding: 2px;"> </span>	Independent Claims	1	- 3**	= <span style="border: 1px solid black; padding: 2px;"> </span> X 40 = <span style="border: 1px solid black; padding: 2px;"> </span>	Multiple Dependent			= 0	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description		103	18	203	9	Claims in excess of 20	102	78	202	39	Independent claims in excess of 3	104	260	204	130	Multiple dependent claim, if not paid	109	78	209	39	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																					
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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Howard J. Greenwald	Registration No. (Attorney/Agent)	24,247	Telephone
Signature				Date

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**



PTO/SB92 (08-00)

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

on 10-1-01

Date

  
Signature

Howard J. Greenwald

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

The following papers listed below are submitted:

Copy of NOTICE TO FILE MISSING PARTS ...

Newly executed DECLARATION

Transmittal Form

Return Postcard

Check

Fee Transmittal

Certificate of Mailing

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Application Number: 09/921,066  
Filing Date: August 2, 2001  
First Named Inventor: Thomas H. Foster  
Group Art Unit:  
Examiner Name:  
Attorney Docket Number: PRC-4

**Transmittal Form (PTO/SB/21):  
Additional Enclosures**

copy of "Notice to File Missing Parts ..."

Transmittal Form

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Return Postcard

Newly Executed Declaration

Check



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/921,066	08/02/2001	Thomas H. Foster	PRC-4

27157  
GREENWALD & BASCH, LLP  
SUITE 2490  
349 WEST COMMERCIAL STREET  
EAST ROCHESTER, NY 14445



## CONFIRMATION NO. 7986 FORMALITIES LETTER



\*OC000000006792903\*

Date Mailed: 09/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Patrick R. Connelly*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

10/09/2001 BNGUYEN1 00000038 09921066

01 FC:205

65.00 0P

*A copy of this notice **MUST** be returned with the reply.*

Docketed